

UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAMES V. FLETCHER,
DAVID B. LINDQUIST, MICHAEL C. WANDERSKI,
and
AJAMU A. WESLEY

Application 10/047,811

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on November 7, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

An examination of the Image File Wrapper (IFW) reveals that an Information Disclosure Statement (IDS) was filed on October 10, 2005.

It is not apparent from the record whether the examiner considered the statement submitted or notified appellants regarding why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellants of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for consideration of the IDS filed October 10, 2005, and written notification to appellants regarding the Primary Examiner's decision; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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By: 
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PJN:psb

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